

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 8-15 remain in the application and are subject to examination. The claims have not been amended.

We have carefully reviewed the final rejection and the Examiner's response to our argument. While the Examiner's rejection and the argumentation is well delineated and quite eloquently framed, we must object to the Examiner's response to our argument. Our argument has apparently been misunderstood and our line of argumentation has been mischaracterized.

Applicants believe that the combination of Yoshida, Koga, and Quadakkers can be arrived at only with "hindsight" and that the combination is entirely artificial and finds no basis in the prior art. In order to guard against such an impermissible combination, we must review the state of the art as it existed prior to the invention. The "objective" starting point – as viewed by the person of skill in the art prior to August 1, 2002 – was as follows:

The person of skill in the art was well aware of the difficulties concerning the pressability of chromium-containing powder mixtures. The person of ordinary skill in the art would therefore (practically by definition) proceed as was conventional in producing form parts for interconnectors of fuel cells. He would necessarily have utilized the conventional processes described by Quadakkers, i.e., MIM or WPP, which do not require pressing.

The person of skill in the art would not have considered employing the special pressing processes described by Yoshida and Koga, where easily pressable graphite powder is used (which, by the way, does not require sintering after pressing) to press chromium powders (which do require sintering after pressing). He would not have considered it, because success was unpredictable and entirely unexpected.

Not only was there absolutely no suggestion to combine, but applicants have proven with the foregoing facts, that the combination of these teachings was entirely non-obvious and there existed several obvious reasons why a person of ordinary skill in the art would not have combined the teachings.

The Examiner is urgently requested to reconsider the final rejection.

Respectfully submitted,

/Werner H. Stemmer/

Werner H. Stemmer
(Reg. No. 34,956)

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Lerner Greenberg Stemmer LLP
P.O. Box 2480
Hollywood, Florida 33022-2480
Tel.: 954-925-1100
Fax: 954-925-1101